

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

Mary L. Golden,

Plaintiff,

v.

Carolyn W. Colvin,
Commissioner of Social Security,

Defendant.

Case No. 3:14-CV-492-PLR-HBG

MEMORANDUM OPINION

This case is before the Court on the Report and Recommendation filed by United States Magistrate Judge H. Bruce Guyton [R. 16]. There have been no timely objections to the Report and Recommendation, and enough time has passed since the filing of the Report and Recommendation to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed.R.Civ.P. 72(b).

After a careful review of the record and the parties' pleadings, the Court is in complete agreement with the Magistrate Judge's recommendation that plaintiff's motion for judgment on the pleadings [R. 12] be granted in part and denied in part, and the commissioner's motion for summary judgment [R. 14] be denied. Accordingly, the Court **ACCEPTS IN WHOLE** the Report and Recommendation under 28 U.S.C. § 636(b)(1) and Fed.R.Civ.P. 72(b). It is **ORDERED**, for the reasons stated in the Report and Recommendation, which the Court adopts and incorporates into its ruling, that the Commissioner's motion for summary judgment [R. 14] is **DENIED**, and the plaintiff's motion for judgment on the pleadings [R. 12] is **GRANTED IN**

PART and DENIED IN PART. Upon remand, the Court recommends that the ALJ reconsider the plaintiff's disability rating from the VA and explain his consideration of the rating consistent with Social Security Ruling 06-03p.

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE